

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: DISCIPLINE OF)	
ELLIOTT J. SCHUCHARDT,)	
PA ATTORNEY REGISTRATION)	
NUMBER 78911, A MEMBER)	Misc. No. 20-720-MRH
OF THE BAR OF THE)	
UNITED STATES DISTRICT)	
COURT FOR THE WESTERN)	
DISTRICT OF PENNSYLVANIA)	

ORDER

WHEREAS Elliott J. Schuchardt (“Schuchardt”), a member of the Bar of this Court, was suspended for a period of two years from the Bar of the Commonwealth of Pennsylvania by Order of the Supreme Court of Pennsylvania dated February 11, 2022, in proceeding number 138 DB 2021;

WHEREAS Schuchardt failed to inform this Court’s Clerk of Court about the Supreme Court of Pennsylvania’s order of suspension, contrary to this Court’s Local Civil Rule 83.3(D)(1);

WHEREAS on August 22, 2022, the Chief Judge of this Court entered an order to show cause why an order of suspension identical to the Supreme Court of Pennsylvania’s order should not be entered by this Court (ECF No. 16);

WHEREAS Schuchardt filed a response to the order to show cause on August 31, 2022 (ECF No. 18), in which he asserted that the order to show cause should be dismissed because: (1) he withdrew his Rule 60 Motion for Relief from Judgment that was pending in the United States District Court for the Eastern District of Tennessee; and (2) a suspension order based upon his misconduct in the Eastern District of Tennessee and reciprocal to that court’s suspension order

would violate a) the doctrine of *res judicata*, and b) the Double Jeopardy Clause of the Fifth Amendment;

WHEREAS upon receipt of Schuchardt's response, the Chief Judge referred this matter to this court's Disciplinary Committee (the "Committee") pursuant to Local Civil Rule 83.3D(4), which Committee presented the matter to the Board of Judges at its November 2022 meeting;

WHEREAS upon consideration of the matter presented by the Committee, a majority of the active district judges concluded that, upon the face of the record, none of the factors set out at Local Civil Rule 83.3D(4)(a)-(d) clearly appeared, and voted to reciprocally suspend Schuchardt from the Bar of the this Court for a period of two years, effective retroactively to February 11, 2022; and

WHEREAS this Court will take no action during Schuchardt's period of reciprocal suspension based upon what appears to be Schuchardt's independent violation of Local Civil Rule 83.3(d)(1) (failure to advise this Court's Clerk of Court of his suspension by the Supreme Court of Pennsylvania), without prejudice to the Court's reconsideration of that decision at any time.

AND NOW, this 17th day of November 2022, IT IS HEREBY ORDERED that Elliott J. Schuchardt is SUSPENDED from the practice of law in the United States District Court for the Western District of Pennsylvania for a period of two years, effective retroactively to February 11, 2022, which order also precludes his practice before the United States Bankruptcy Court for the Western District of Pennsylvania; and

IT IS FURTHER ORDERED that Schuchardt is advised of his obligation to affirmatively seek an order of reinstatement upon expiration of his period of suspension and prior to resuming the practice of law before this Court, L.CvR. 83.3E.

FOR THE COURT:

/s/ Mark R. Hornak

Mark R. Hornak

Chief United States District Judge